

LOCAL PLANNING AGENCY
AUGUST 8, 2007

1. ROLL CALL

The meeting was called to order at 8:36 p.m. Board members present were Chair Mike Bender, Vice-Chair John Stevens, Philip Busey and Mimi Turin. Also present were Attorney Julie Klahr, Acting Planning and Zoning Manager Marcie Nolan, and Board Secretary Janet Gale recording the meeting. Dan Pignato was absent.

2. APPROVAL OF MINUTES: June 27, 2007

Vice-Chair Stevens made a motion, seconded by Ms. Turin, to approve the minutes of June 27, 2007. In a voice vote, with Mr. Pignato being absent, all voted in favor. **(Motion carried 4-0)**

3. PUBLIC HEARING

Text Amendment

- 3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12, PLANNING AND DEVELOPMENT, ARTICLE X, REZONINGS, SPECIAL PERMITS, VARIANCES AND VACATIONS OR ABANDONMENT OF RIGHTS-OF-WAY, DIVISION 2, TO INCLUDE APPLICANTS ABLE TO AMEND THE LAND DEVELOPMENT CODE; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB(TXT) 5-2-07) **(tabled from July 11, 2007)**

Ms. Nolan read through the ordinance advising of the changes which had been made in order to address the Agency's previously expressed concerns. A discussion ensued regarding item one which addressed the beginning of the process in which any member of the public may initiate their proposal to amend the Land Development Code. After sorting through the pros and cons of various suggestions in order to create multiple paths for the public to take in order to have their ideas heard, it was agreed that item one be changed to read as follows:

1. Any member of the public may submit a written request to the ~~attend a~~ Local Planning Agency or Town Council ~~public meeting to comment or suggest text amendments to consider proposed text amendments~~ to the Land Development Code within # of days (add whatever amount of days prior to the meeting date that the request should be submitted) ~~under new business on the~~ of their next available agenda.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Stevens made a motion, seconded by Chair Bender, to approve subject to the revisions. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – absent; Ms. Turin – yes. **(Motion carried 4-0)**

- 3.2 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE, FLORIDA CODE OF ORDINANCES BY SPECIFICALLY AMENDING CHAPTER 12, SECTION 12-292 ENTITLED "STREET STANDARDS" BY AMENDING SECTION 12-292 (D) TO PROVIDE FOR A PROCEDURE TO OBTAIN APPROVAL FOR EXISTING NONCONFORMING VEHICULAR ACCESSWAYS; BY CREATING A DEFINITION FOR "EXISTING NONCONFORMING VEHICULAR ACCESSWAYS" TO BE INCLUDED IN CHAPTER 12, SECTION 12-503, DEFINITIONS; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

LOCAL PLANNING AGENCY
AUGUST 8, 2007

Ms. Nolan advised that the origin of the ordinance was the result of a pending Code Compliance case with the issue being that the last house to be constructed at the end of a sub-standard road was not issued a building permit because of the condition of the road. Staff had been given direction to address this situation and create a process for legalizing the sub-standard roadways by creating a definition for existing nonconforming vehicular access ways. The proposed ordinance was drafted by Engineering and Code Compliance and reviewed by the Town Attorney.

A lengthy discussion ensued in which the shortfalls of the proposed ordinance were discussed. Ms. Nolan suggested that the Agency capsule its comments, discussion and debate, and put it in the form of a motion to make a recommendation to Council.

There were no members of the public present to ask if anyone wished to speak for or against this item.

Chair Bender passed the gavel and made a motion, seconded by Ms. Turin, to deny the ordinance and make it a variance request. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – yes; Mr. Busey – yes; Mr. Pignato – absent; Ms. Turin – yes. **(Motion carried 4-0)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

There was no new business discussed.

6. COMMENTS AND/OR SUGGESTIONS

Mr. Busey commented that in the interest of public safety, the Town Engineer should place more emphasis on the sub-standard arterial roads than on the dead-end, cul-de-sac dirt road. Ms. Klahr explained that it was all within the Town Engineer's purview and he could not defensively turn a blind eye.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 9:36 p.m.

Date Approved: _____

Chair/Agency Member